

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

YOLANDA PEREZ, o/b/o K.J.O.,

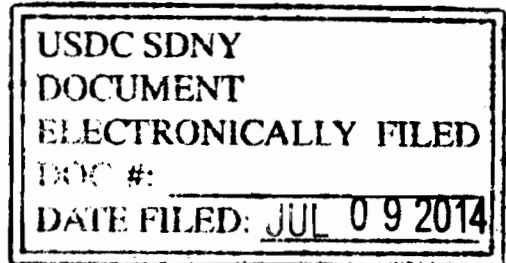
Plaintiff,

No. 13CV3153-LTS-KNF

-against-

COMMISSIONER OF SOCIAL SECURITY,

Defendant.



ORDER ADOPTING REPORT AND RECOMMENDATION

Pro se Plaintiff Yolanda Perez ("Plaintiff"), on behalf of her minor granddaughter, K.J.O., brings this action, pursuant to Section 205(g) of the Social Security Act (the "Act"), 42 U.S.C. section 405(g), seeking judicial review of the final determination of the Commissioner of Social Security (the "Commissioner") denying her application for Supplemental Security Insurance ("SSI") benefits. The Commissioner moved for judgment on the pleadings pursuant to Rule 12(c) of the of the Federal Rules of Civil Procedure. Before the Court is the Report and Recommendation (the "Report") of Magistrate Judge Kevin Nathaniel Fox, recommending that the Commissioner's motion be granted. No objections to the Report have been filed.

When reviewing a report and recommendation, the Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate." 28 U.S.C.S. § 636(b)(1)(C) (LexisNexis 2012). "To accept the report and recommendation of a magistrate, to which no timely objection has been made, a district court need only satisfy itself that there is no clear error on the face of the record." Wilds v. United Parcel Service, Inc., 262 F. Supp. 2d 163, 169 (S.D.N.Y. 2003) (internal citations and quotation marks omitted)).

Having reviewed Magistrate Judge Fox's thorough and well-reasoned Report, to which no objection was made, the Court finds no clear error. Therefore, the Court adopts the Report in its entirety. Accordingly, the Court grants the Commissioner's motion. This Order resolves docket entry no. 22. Plaintiff's action is dismissed and the Clerk of Court is directed to close this case.

Plaintiff's failure to file written objections precludes appellate review of this decision. See Caidor v. Onondaga County, 517 F.3d 601, 604 (2d Cir. 2008). The Court therefore certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from this Order would not be taken in good faith. Coppedge v. United States, 369 U.S. 438, 444-45 (1962).

SO ORDERED.

Dated: New York, New York

July 9, 2014

  
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LAURA TAYLOR SWAIN  
United States District Judge

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